

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT TENNESSEE

THOMAS M. GOULD  
CLERK OF COURT

WESTERN DIVISION

05 AUG 25 AM 10:29

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THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W/D OF TN, MEMPHIS

August 25, 2005

RE: MARVIN RAY SPEARS vs. CANADIAN NATIONAL/ILLINOIS CENTRAY  
ROADROAD  
03-2961-B

Dear Counsel:

It appears that in the above referenced cause the parties are unable to agree on the taxation of costs.

Therefore, pursuant to Rule 54.1 of the Local Rules for the Western District of Tennessee, the Clerk is required to assess costs, after notice and hearing. Accordingly, you are hereby notified that the Clerk of Court will tax costs on Thursday, October 13, 2005 @ 10:30 a.m. in the Clerk's office located in Room 242, Clifford Davis Federal Building, 167 North Main Street, Memphis, Tennessee. You may appear at that time and make any argument you believe relevant, but you are not required to attend. The Clerk of Court will accept any relevant citation of any law the parties wish to submit, but such submissions must be received no later than one week prior to the scheduled hearing. Your appearance at this hearing and your submission of relevant case citations is completely optional, and a party's or counsel's decision to not appear or to not submit relevant citations will not adversely affect the Clerk of Court's evaluation of how costs should be assessed.

Sincerely,

Thomas M. Gould, Clerk of Court

by: *Earline Grayer*  
Deputy Clerk

/ehg  
c: Docket Clerk



## Notice of Distribution

This notice confirms a copy of the document docketed as number 52 in case 2:03-CV-02961 was distributed by fax, mail, or direct printing on August 25, 2005 to the parties listed.

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Honorable J. Breen  
US DISTRICT COURT